

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 19-20652

Honorable David M. Lawson

JAMES LETKO, STEVEN KING, PATRICIA
FLANNERY, and KATHERINE PETERSON,

Defendants.

STIPULATED PROTECTIVE ORDER

Pursuant to Federal Rule of Criminal Procedure 16(d) and Eastern District of Michigan, Michigan Local Criminal Rule 1.1 (incorporating E.D. Mich. LR 1.1(c) and 26.4), and the stipulation of the parties, the following is **ORDERED**.

1. This order shall govern the production by the government's Filter Team of all documents and information disclosed through discovery in this case which may include (i) confidential law enforcement materials; (ii) personal identifying information ("PII") of third parties and confidential health information of those individuals, which may include, but is not limited to, social security numbers, dates of birth, telephone numbers, addresses, financial information (such as account numbers), personal health and medical records; and (iii) Potentially Protected Material.

2. The parties shall ensure that all PII, Potentially Protected Material, and confidential law enforcement materials contained in the discovery are protected from use and disclosure beyond what is reasonably necessary for the effective defense of this matter.

3. Defense counsel, designated defense investigators, support staff, and other individuals necessary for assisting the defense team in the preparation and trial of this matter, may

disseminate discovery material from the government's Filter Team to the defendants with the understanding that the defendants shall not disseminate or permit any other persons to view the discovery materials.

4. If the defendants take notes or make copies of the discovery materials, then they shall not disseminate the notes or permit other persons who have not consented to be bound by this protective order to view the discovery materials or notes relating to the discovery materials.

5. No individuals outside of those listed may review, receive, or otherwise view any discovery materials that the government's Filter Team produces in this case.

6. The discovery and information that the Filter Team provides may only be used in connection with the litigation of this case and for no other purpose. The discovery materials disclosed shall remain the property of the United States Government.

7. Defense counsel will destroy the electronic discovery received from the Filter Team at the conclusion of this case and permanently delete any copies from their computer systems, except attorney work product containing portions of the electronic discovery. If any defense counsel, defense investigator, or support staff has produced hard copies of the discovery, the hard copies shall be shredded. Within 90 days following the conclusion of all litigation in this matter, defense counsel shall certify in writing to counsel for the United States that all discovery that the Filter Team provided has been destroyed or shredded.

8. If the defense seeks utilization of the discovery material that the Filter Team provided in any court filing, at trial, or in another hearing in this matter, any potential privilege claims must be resolved and any PII must be redacted from the discovery prior to its use. Any filings shall comply with Federal Rule of Criminal Procedure 49.1 and the electronic filing policies and procedures of the United States District Court for the Eastern District of Michigan.

9. Defense counsel shall be responsible for advising their clients, defense investigators, support staff, and other members of the defense team of the terms of this protective order, and instructing them that disclosure of the discovery material except as allowed by this protective order is prohibited.

10. Any unauthorized disclosure of discovery material that the Filter Team provides may constitute a violation of this order, and may be punished as contempt of court.

11. If a defendant substitutes counsel, then the defendant's counsel of record shall withhold the discovery materials from new counsel until substituted counsel agrees to be bound by this protective order

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 31, 2021

Stipulated to by:

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